IN THE HIGH COURT OF HIMACHAL PRADESH SHIMLA

Civil Writ Petition No.264 of 2006.
Date of decision:12.04.2007

Ram Lal …..**Petitioner**

Versus

State of H.P. & Others. …..**Respondents.**

Coram

The Hon'ble Mr.Justice Dev Darshan Sud,J.

The Hon'ble Mr.Justice Rajiv Sharma,J.

Whether approved for reporting ?[1]

For the Petitioner: **Mr.Y.P.S. Dhaulta, Advocate.**

For Respondents 1&2: **Mr.M.S. Chandel, Advocate General with Mr.Rajan Dewan, Additional Advocate General.**

For Respondent No.3: **Mr.R.K. Negi, Advocate.**

For Respondent No.4: **Mr.Vishal Panwar, Advocate.**

Per Dev Darshan Sud,J.(Oral):

The petitioner has approached this Court against the order of the State Administrative Tribunal in O.A.No.3135 of 2002, decided on 20.3.2000, whereby he had challenged his termination as Water Carrier by the respondents.

During the course of hearing, learned counsel appearing for the petitioner has invited our attention to the fact that the family of the petitioner had donated land for the construction of Government Primary School, Shush and as such, the

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[1] *Whether the reporters of Local Papers may be allowed to see the judgement*?

petitioner is entitled to preferential treatment in accordance with the Scheme of selection.

On going through the reply filed by the Pradhan, Gram Panchayat, Behna, we find that this averment has not been denied. We, therefore, think it proper that the matter is decided afresh by the learned Tribunal taking into consideration the fact as to whether the family of the petitioner had donated the land for the construction of the Primary School and whether he is entitled to preferential selection.

The writ petition is disposed of. There shall be no order as to costs.

All interim orders shall stand vacated.

(Dev Darshan Sud)
Judge.

April 12, 2007
(aks)

(Rajiv Sharma)
Judge